

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of : Shinji IIJIMA, et al.

Group Art Unit : 1642

Application No. : 10/523,191

Examiner : Unassigned

Filed : September 23, 2005

For : METHOD OF EXPRESSING GENE IN TRANSGENIC BIRDS
USING RETROVIRUS VECTOR AND TRANSGENIC BIRDS
THUS OBTAINED

Docket No. : 12218/46

MAIL STOP AMENDMENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO/SB/08a FORM. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO/SB/08a FORM, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

This Information Disclosure Statement is being filed (a) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. §1.53(d), (b) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, (c) before the mailing date of a first Office Action on the merits in the present application, OR (d) before the mailing of a first office action after filing of a request for continued examination. No certification or fee is required.

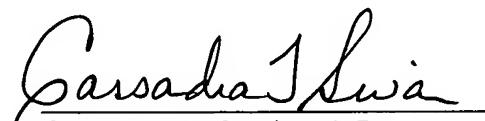
References 1 and 2 were cited in a First Examination Report recently issued in counterpart Indian Application No. 00404/KOLNP/2005. A copy of the Report is submitted herewith for the Examiner's information. The other references cited in the Report were submitted with the Information Disclosure Statement filed April 25, 2005 in this U.S. application.

Reference 3 was cited in an Examination Report recently issued in counterpart New Zealand Application No. 538678. A copy of the Report is submitted herewith for the Examiner's information. Please note that the Report includes corrections to errors made in the citations. The other references cited in the Report were submitted with the Information Disclosure Statement filed April 25, 2005 in this U.S. application.

Respectfully submitted,

KENYON & KENYON LLP

Date: May 26, 2006



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Substitute for 1000A/449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of 1

Complete if Known

Application Number	10/523,191
Filing Date	September 23, 2005
First Named Inventor	Shinji IJIMA, et al.
Art Unit	1642
Examiner Name	Unassigned

Attorney Docket Number 12218/46

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	1	WO 99/19472	04-22-1999	University of Georgia Research Foundation, Inc.		

Examiner Signature

Date Considered

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	2	Pain, B., et al., "Chicken embryonic stem cells and transgenic strategies," <i>Cells Tissues Organs</i> , 165 (3-4), 1999, pgs. 212-219.	ABS only
	3	Mozdziak, Paul E., et al., "Transgenic Chickens Expressing β-Galactosidase Hydrolyze Lactose in the Intestine," <i>Journal of Nutrition</i> , 133 (10), 2003, pgs. 3076-3079.	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.